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8

9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF WASHINGTON

11 Firefighters MICHAEL BACON, )  
12 ANDREA KERNKAMP JOE ) CASE NO. 2:21-cv-00296-TOR  
13 HOWARTH, BRENNAN COOKE, )  
14 TIM WHEELER, TOM HARVEY, )  
15 JOEL BROSE, TANNER ) DECLARATION OF  
16 TOWNSEND, DANNY BETZ, ) TIMOTHY ARCHER  
17 CURTIS SMITH, ISAIAH SMITH, )  
18 NICHOLAS HOLMES, MATTHEW )  
19 NORTON, JHAR FULLER, STEVEN )  
20 HOWIE, JEFFREY BAXTER, ARIC )  
21 PISA, DUANE WILCOX, DAVID )  
22 HEIZER, JAMES BILLMAN, )  
23 MARLIN THORMAN, JASON )  
24 WEBSTER, TIMOTHY ARCHER, )  
25 COREY BARKER and CONNOR )  
FOXWORTH )

Plaintiffs, )

v. )

22 NADINE WOODWARD, the Mayor of )  
23 the City of Spokane, Fire Chief BRIAN )  
24 SCHAEFFER, the CITY OF )  
SPOKANE. )

Defendants. )

DECLARATION OF  
TIMOTHY ARCHER - 1

ARNOLD & JACOBOWITZ PLLC  
2701 FIRST AVENUE, SUITE 200  
SEATTLE, WA 98121  
113 EAST WOODIN AVENUE, SUITE 200  
CHELAN, WA 98816 (THIS OFFICE DOES NOT ACCEPT SERVICE OF PROCESS)

1 Timothy Archer declares under penalty of perjury.

- 2 1. I am an adult citizen of the State of Washington, competent to testify and  
3 hereby testify of my own personal belief and knowledge, making this follow-  
4 up declaration to point out inaccurate statements made specifically about me  
5 and falsehoods in the Steinolfson Declaration.  
6
- 7 2. At Page 4, Line 6-9: I was not wearing a mask during "*Loudermill*" - I was off  
8 duty at the union hall, 6 feet from others.  
9
- 10 3. At Page 5, Line 11: "COVID IMT – Overtime for the team assembled to  
11 support COVID response in 2020. \$126,714.94." Ms. Steinolfson is, or should  
12 be aware, that the Incident Management Team was established at onset of  
13 Pandemic to mitigate for Spokane with nothing known about COVID. This has  
14 nothing to do with accommodation costs, it was the respond of a Fire Dept.  
15 dealing with the early stages of the pandemic long before vaccination was an  
16 option or issue.  
17
- 18 4. 3. Page 5, Line 12: "COVID IMT Backfill – overtime paid to employees who  
19 covered vacancies created by the IMT in 2020. \$71,887.44\*" This was also  
20 early in the pandemic and was the backfill for the Firefighters staffing the IMT.  
21
- 22 5. 4. Page 5, Line 13: "COVID AA – Payroll code for people put off on  
23 quarantine in 2020 (20,663 hrs.). \$1,316,853\*" This number is inflated by  
24  
25

1 quarantining asymptomatic firefighters based only on exposure, which is no  
2 longer in practice.

3 6. 5. Page 5, Line15: "COVID OT – Payroll code generally used for any  
4 overtime supporting COVID related work outside once the IMT stood down  
5 (ex: shot clinics, PPE delivery, POC COVID hotline, etc.) in 2020 (2,304.25  
6 hrs.) \$156,066.85\*" This is the Pandemic slush fund of sorts to capture other  
7 and hopefully recoverable costs, the only portion applicable might be  
8 additional PPE related to accommodations, not all COVID PPE.  
9

10  
11 7. 6. Page 6, Line 2: "COVID AA - Payroll code for people off on quarantine  
12 in 2021 (3,063.5 hrs.) \$207,490.86\*" Same as above.

13  
14 8. 7. Page 6, Line 4: COVID OT – Payroll code generally used for any overtime  
15 supporting COVID related work outside once the IMT stood down (ex: shot  
16 clinics, PPE delivery, POC COVID hotline, etc.) in 2021 (7,944.5 hrs.)  
17 \$538,080.98\* Same as above.

18  
19 9. The Department is knowingly exaggerating and/or misinterpreting data to  
20 mislead this court.

21 10. I am the recent Union President; I stepped down on the nineteenth.

22  
23 11. Dispatcher positions sit in cubicles twelve to fifteen feet apart, these positions  
24 do not interact with the public in person, no one else in that facility is subject  
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to the Mayor's mandate, there are multiple vacant positions that could  
accommodate some of the Firefighters in this lawsuit.

12. Battalion Chiefs, too, do not require any accommodations because of virtually  
no public interactions.

13. The same is true for the fire prevention division, which can do its job without  
public interaction, and another place where these firefighters can be  
accommodated.

EXECUTED this 4th day of November 2021 at Spokane, WA

  
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Timothy Archer

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 4, 2021, I electronically filed the foregoing with the Clerk of the Court for the United States District Court Western District of Washington by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

DATED this 4th day of November 2021.

/s/ Nathan J. Arnold  
Nathan J. Arnold, WSBA No. 45356